

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,

Plaintiff-Respondent, : Case No. 3:04-cr-095
Also 3:11-cv-034

-vs- : District Judge Walter Herbert Rice
Meged D. Yisra'el, Magistrate Judge Michael R. Merz

Defendant-Petitioner.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #204), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that First, Second and Third Grounds for Relief in his Motion to Vacate under 28 U.S.C. § 2255 are DISMISSED with prejudice. Defendant's fourth claim for relief remains pending for adjudication.

April 2, 2011.

Walter Herbert Rice
United States District Judge